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James S. Parker, Patent Attorney

ELECTION UNDER 35 USC §121

Examining Group 3744

Patent Application

Docket No. RTI-101XC1

Serial No. 10/625,014

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CENTRAL FAX CENTER**JUL 20 2004****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Examiner : William E. Tapolcai
Art Unit : 3744
Applicant : Daniel P. Rini
Serial No. : 10/625,014
Filed : July 22, 2003
Conf. No. : 8426
For : Method an Apparatus for Highly Efficient Compact Vapor
Compression Cooling

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313

ELECTION UNDER 35 USC §121

Sir:

A Petition and Fee for a one-month Extension of Time through and including July 20, 2004
accompanies this Election.

In response to the written Election Requirement dated May 20, 2004 in the above-identified
patent application, Applicant hereby elects to prosecute the claims of the compressor Species of
Figure 6, the claims of the condenser Species of Figures 8A-8B, and the claims of the evaporator
Species of Figures 7A-7B, with traverse.

Applicant further submits that pending claims 1-25, 27, and 30-61 are readable on the
compressor Species of Figure 6, pending claims 1-6, 8-55, 58-59, 61-67, 69-90, and 93-94 are
readable on the condenser Species of Figures 8A-8B, and pending claims 1-17, and 19-61 are
readable on the evaporator Species of Figures 7A-7B. As claims 1-61 are directed to an apparatus
for cooling, comprising a condenser, an evaporator, and a compressor, applicants' determination of

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which of claims 1-61 are readable on each of the elected Species is based on the elements of claim 1-61 corresponding to the Species at issue, namely, a condenser, an evaporator, or a compressor. In particular, claim limitations corresponding to other claim elements were ignored to the extent they were not mutually exclusive.

With respect to the first Species election put forth in the Office Action, namely, the compressor of Figures 1B, 6, and 10, the applicant asserts that Figure 6 shows an exploded view of a specific embodiment of a compressor in accordance with the subject invention, Figure 1B shows an expanded view of a rotor of a compressor incorporated with the embodiment shown in Figure 1A, and Figure 10 shows the cross-section of a fin design for a compressor in accordance with the subject invention. The specification has been amended at page 6, line 4 to indicate that Figure 1B shows an expanded view of a rotor of a compressor incorporated with the embodiment shown in Figure 1A; at page 11, lines 28-29 to specifically reference Figures 1A and 1B; at page 14, lines 7 and 8 to specifically reference Figure 1B; and at page 16, line 7 to specifically reference Figure 1A. The compressor shown in Figure 6 can incorporate the rotor 624 shown in Figure 1B. The rotor 624 shown in Figure 6 is not shown incorporating face seals 16 or tip seals 20, which are shown with respect to the rotor 624 of Figure 1B. Figure 10 shows the cross-section of a specific embodiment of the compressor shown in Figure 6, showing the compressor cooling fins 636. Accordingly, the embodiment of a compressor, which can be incorporated with the subject invention, shown in Figure 6 can, if desired, incorporate the face seals 16 and/or tip seals 20 shown with the rotor of Figure 1B and/or can, if desired, incorporate the cross-sectional shape of the fin design shown in Figure 10.

With respect to the second Species election put forth in the Office Action, namely, the condenser of Figures 8A-8B and 11A-11B, the applicant asserts that Figures 8A-8B show an embodiment of a condenser of the subject invention and that Figures 11A-11B show an embodiment of the subject invention incorporating a condenser having a "peanut" shaped cross-section. Figures 11A-11B are meant to show how certain parts of the subject invention can be positioned with respect to the condenser having a "peanut" shaped cross-section. The details of the condenser of Figures 11A-11B are not shown in Figures 11A-11B, but, rather, the condenser is shown in schematic form. Accordingly, aside from the cross-sectional shape, the condenser of Figures 11A-11B could incorporate the features of the condenser of Figures 8A-8B or could incorporate alternative features.

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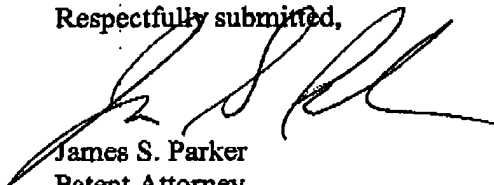
With respect to the third election put forth in the Office Action, namely, the evaporator of Figures 3 and 7A-7B, the applicants assert that Figure 3 shows an embodiment of an evaporator in accordance with the subject invention having a pump 512 built into the evaporator and Figures 7A-7B show an embodiment of an evaporator in accordance with the subject invention that does not have a pump built into the evaporator.

A Preliminary Amendment also accompanies this Election. The Preliminary Amendment has been submitted to correct typographical and other clerical errors in the specification.

Applicant invites the Examiner to call the undersigned if clarification is needed or if the Examiner believes a telephonic interview would expedite the prosecution of the subject application to completion.

The Commissioner is hereby authorized to charge any fees under 37 CFR §§1.16 or 1.17 as required by this paper to Deposit Account No. 19-0065.

Respectfully submitted,



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Attachment: Preliminary Amendment

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